BILL NO. S-89-03- 07

SPECIAL ORDINANCE NO. S- 58-89

AN ORDINANCE approving the awarding of Reference #874 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **UNDERGROUND PIPE & VALVE, INC.; WATER PRODUCTS COMPANY; JAMES JONES COMPANY; THE TREATY COMPANY; AND E.J.P.-MIDWEST** for the Water Maintenance Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #879 between the City of Fort Wayne, by and through its Department of Purchasing and **UNDERGROUND PIPE & VALVE, INC; WATER PRODUCTS COMPANY; JAMES JONES COMPANY; THE TREATY COMPANY; AND E.J.P.-MIDWEST** for the Water Maintenance Department, respectfully for:

> **the purchase of curb and curb stops for the Water Maintenance Department for 1989;**

involving a total cost of Forty Thousand Fifty-Nine and 75/100 Dollars ($40,059.75) - (Underground - $3,471.25; Water Products - $8,415.00; James Jones - $10,711.25; Treaty - $4,322.25; E.J.P. - $13,140.00), all as more particularly set forth in said Reference #874 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. Giaquinta
Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

REF NO.: 874

DEPT.: WATER MAINTENANCE

DATE: 03/07/89

ITEM/SERV.: CURB & CORP STOPS

PURCHASING INFORMATION

ADVERTISED BID: YES

DATES ADVERTISED: 1/30/89 & 2/6/89

OPENING DATE: 2/23/89

WRITTEN QUOTE:

DUE DATE:

VERBAL QUOTE:

NO. OF VENDORS NOTIFIED: 15

NO. OF VENDORS REQUESTING BID INFO: 10

NO. OF VENDORS RESPONDING: 6

NO. OF VENDORS DISQUALIFIED: 1

NO. OF VENDORS NOT RESPONDING: 9

DATE SENT TO DEPT. FOR REOMMENDATION: 2/23/89

DATE RECOMMENDATION REC'D IN PURCHASING: 3/3/89

DATE INFO SENT TO LAW DEPT.: 3/7/89

INTRODUCTION DATE: 3/14/89

DISCUSSION DATE:

PASSAGE DATE:

ORDINANCE NO.:

AMOUNT APPROVED AND/OR SPENT LAST YEAR: $46054.75+/-
(IF APPLICABLE)

REFERENCE NO. 874
WATER MAINTENANCE

CURB STOPS

SIZE	EST QTY	TREATY		JAMES JONES		UNDERGROUND		EJP		WATER PRODUCTS		ETNA
3/4	125	$9.47	$1,183.75	$9.58	$1,197.50	$10.02	$1,252.50	$9.80	$1,225.00	$9.69	$1,211.25	DISQUAL.
3/4	1500	$11.14	$16,710.00	$12.50	$18,750.00	$11.13	$16,695.00	$12.14	$18,210.00	$8.76	$13,140.00	NON-COLL
1	100	$19.00	$1,900.00	$16.82	$1,682.00	$17.87	$1,787.00	$17.70	$1,770.00	$17.52	$1,752.00	NOT INCL
1 1/2	50	$38.35	$1,917.50	$37.35	$1,867.50	$38.77	$1,938.50	$39.30	$1,965.00	$38.90	$1,945.00	
2	50	$45.32	$2,266.00	$39.74	$1,987.00	$40.49	$2,024.50	$41.80	$2,090.00	$41.39	$2,069.50	
2	50	$62.77	$3,138.50	$64.35	$3,217.50	$62.96	$3,148.00	$64.30	$3,215.00	$63.66	$3,183.00	

CORP STOPS

3/4	1500	$5.95	$8,925.00	$5.83	$8,745.00	$5.80	$8,700.00	$5.65	$8,475.00	$5.61	$8,415.00	
1	100	$9.10	$910.00	$8.92	$892.00	$9.19	$919.00	$9.10	$910.00	$8.97	$897.00	
1 1/2	50	$24.85	$1,242.50	$23.66	$1,183.00	$25.97	$1,298.50	$24.90	$1,245.00	$24.64	$1,232.00	
2	75	$43.43	$3,257.25	$41.33	$3,099.75	$43.63	$3,272.25	$43.50	$3,262.50	$43.00	$3,225.00	
3/4	100	$6.39	$639.00	$11.40	$1,140.00	$6.22	$622.00	$6.65	$665.00	$6.55	$655.00	
2	75	$38.91	$2,918.25	$47.38	$3,553.50	$37.99	$2,849.25	$40.50	$3,037.50	$40.10	$3,007.50	
TOTAL			$45,007.75		$47,314.75		$44,506.50		$46,070.00		$40,732.25	
DELIVERY			2-3 WKS		2-90 DAYS		15 DAYS		1-2 WKS		STK-7 DAYS	
FOB			FW		FW		FW		FW		FW	

BILL, I DID NOT INCLUDE ANY ALTERNATES ON THIS TABULATION.
PLEASE SEE BIDS FOR THESE. THANKS PATTY JEAN

Read the first time in full and on motion by Gia Quinta, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____.M.,E.S.T.

DATED: 3-14-89

Nadyda Eskorff
~~SANDRA E. KENNEDY, CITY CLERK~~ Deputy

Read the third time in full and on motion by Gia Quinta, seconded by Bradbury, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
BURNS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
STIER	✓			
TALARICO	✓			

DATED: 3-27-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ (SPECIAL) (~~ZONING~~ MAP) ORDINANCE ~~RESOLUTION~~ NO. S-58-89 on the 27th day of March, 19 89,

ATTEST ~~SEAL~~

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Charles B. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1989, at the hour of 2:15 o'clock P.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 6th day of April, 19 89, at the hour of 4:15 o'clock P.M.,E.S.T.

PAUL HELMKE, MAYOR

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: 2-23-89 @ 11:00 AM BID REFERENCE # 874

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A. M., ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR The 1989 requirements for curb and corporation stops

AND REQUESTED BY WMS.

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED ON THE THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED CHECK, OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ % IF PAID WITHIN _____ DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255-0013. PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Water Products Company

STREET ADDRESS 112 W. Water, P.O. Box 55

CITY Wabash, In.

BY _____ PHONE 219-563-2171
REPRESENTATIVE SIGNATURE

SCHEDULE

1. The contractor agrees to furnish at his/her/its own cost all labor, insurance, materials, equipment, and power for the completed delivery of the supplies.

All supplies and deliveries of supplies will be in accordance with: the IFB, this contract and any applicable plans, specifications, and drawings for a TOTAL PRICE of $ 40,732.25 . (If unit prices are applicable, the contractor agrees to perform for those unit prices as set forth in the Schedule of Unit Prices attached hereto.) The supplies shall be delivere as follows:
OUR TRUCK OR COMMON CARRIER

/__/ 2. LIQUIDATED DAMAGES PROVISION. It is hereby agreed by and between the City of Fort Wayne and contractor that time is of the essence of this agreement, and the contractor agrees that it will deliver the supplies as herein called for on or before the time spelled out in the contract. The parties agree that it is a business and governmental necessity that the supplies be delivered by these dates. The parties agree that in the event the supplies are not delivered by these dates, that it will be difficult or impossible to make an accurate determination of the damages that will be incurred by the City of Fort Wayne, and therefore provide for liquidated damages in the sum of $ 0 per day as a reasonable estimate as to the damages which would be incurred by the City of Fort Wayne. The parties further agree that causes beyond the control of the contractor may delay delivery of supplies. Therefore, the parties agree that delays in the dates for delivery of supplies beyond the control of the contractor shall not result in liquidated damages.

Delays beyond the control of the contractor can include but are not restricted to: Acts of God or of the public enemy, acts of the United States Government, State of Indiana Government and City of Fort Wayne in either its sovereign or contractual capacity, fires, floods, epidemics, guarantee restrictions, strikes, freight embargoes, and unusually severe weather; but, in every case, the failure to perform must be beyond control and without the fault or negligence of the contractor. If the failure to perform is caused

CURB STOPS, 90 DEGREE T-HEAD OPERATION

QTY	UNIT	DESCRIPTION	SIZE	BRAND NAME/NUMBER	UNIT COST
125	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	3/4"	Ford B11-333	$ 9.69
1500	EA +/-	BALL TYPE: FLARED BOTH ENDS	3/4"	Ford BH22-233	$ 8.76
100	EA +/-	BALL TYPE: FLARED BOTH ENDS	1"	Ford B22-444	$ 17.52
50	EA +/-	BALL TYPE: FLARED BOTH ENDS	1½"	Ford B22-666	$ 38.90
50	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	2"	Ford B11-777	$ 41.39
50	EA +/-	PLUG/BALL TYPE: FLARED BOTH ENDS	2"	Ford B22-777	$ 63.66

CORPORATION STOPS

1500	EA +/-	FLARED	3/4"	Ford F-600	$ 5.61
100	EA +/-	FLARED	1"	Ford F-600	$ 8.97
50	EA +/-	FLARED	1½"	Ford FB-600	$ 24.64
75	EA +/-	FLARED	2"	Ford FB-600	$ 43.00
100	EA +/-	FEMALE/THREADED	3/4"	Ford F-1600	$ 6.55
75	EA +/-	FEMALE/THREADED	2"	Ford FB-1600	$ 40.10

DELIVERY TIME: Stock to 7 Days FOB: Fort Wayne, In.

TERM OF AGREEMENT: MAY 1, 1989 THRU DECEMBER 31, 1989

ATTACHMENT C

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of Water Products Company, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of Water Products Company, that The Company does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 16th day of February, 1989.

WaterProducts Company
(Name of Bidder/Vendor)

[signature] President
(Name and Title of Person Signing)

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 2-16-89

1. Governmental Unit: City of Fort Wayne
2. County: Allen
3. Bidder (Firm): Water Products Company
   Address: 112 W. Water, P.O. Box 55
   City/State: Wabash, In. 46992
4. Telephone Number: 219-563-2171
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to City ofFort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

See Attached

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Wabash COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Water ProductsCompany
Bidder (Firm)

Signature of Bidder or Agent

Subscribed and sworn to before me this 16th day of February, 1989.

Commission Expires: 11-14-92

Johnetta Wells
Notary Public

County of Residence: Wabash

Johnetta P. Wells
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price bid for the materials stipulated in said bid.

Date: 2-16-89

Contracting Authority Members:

_____ _____

_____ _____

_____ _____

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: 2-23-89 @ 11:00 AM BID REFERENCE # 874

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A. M., ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR The 1989 requirements for curb and corporation stops

AND REQUESTED BY WMS.

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED ON THE THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED CHECK, OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ % IF PAID WITHIN _____ DAYS.

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FIRM NAME E.J.P.-Midwest

STREET ADDRESS 250 Olive Street

CITY Wabash, Indiana 46992

BY David L Stevens PHONE 563-1137
REPRESENTATIVE SIGNATURE

CURB STOPS, 90 DEGREE T-HEAD OPERATION

QTY	UNIT	DESCRIPTION	SIZE	BRAND NAME/NUMBER	UNIT COST
125	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	3/4"	Ford B11-333	$ 9.80
1500	EA +/-	BALL TYPE: FLARED BOTH ENDS	3/4"	Ford B22-333 Alt. BH22-233	12.14 $ 8.85
100	EA +/-	BALL TYPE: FLARED BOTH ENDS	1"	Ford B22-444	$ 17.70
50	EA +/-	BALL TYPE: FLARED BOTH ENDS	1½"	Ford B22-666	$ 39.30
50	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	2"	Ford B11-777	$ 41.80
50	EA +/-	PLUG/BALL TYPE: FLARED BOTH ENDS	2"	Ford B22-777	$ 64.30

CORPORATION STOPS

1500	EA +/-	FLARED	3/4"	Ford 3/4" F-600	$ 5.65
100	EA +/-	FLARED	1"	Ford 1" F-600	$ 9.10
50	EA +/-	FLARED	1½"	Ford 1½" FB-600	$ 24.90
75	EA +/-	FLARED	2"	Ford 2" FB-600	$ 43.50
100	EA +/-	FEMALE/THREADED	3/4"	Ford 3/4" FB1600 Alt. 3/4" FB1700	6.65 $ 6.65
75	EA +/-	FEMALE/THREADED	2"	Ford 2" FB1600 Alt. 2" FB1700	40.50 $ 40.50

DELIVERY TIME: 1-2 Weeks FOB: Fort Wayne, Indiana

TERM OF AGREEMENT: MAY 1, 1989 THRU DECEMBER 31, 1989

Bond No. 09820614

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, EVERETT J. PRESCOTT, INC.

....., as Principal, (hereinafter called the "Principal"), and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, of Baltimore, Maryland, a corporation duly organized under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety"), are held and firmly bound unto CITY OF FORT WAYNE, INDIANA

.....as Obligee, (hereinafter called the "Obligee"), in the sum of ------FIVE PERCENT OF BID----- Dollars ($ 5% OF BID), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Furnishing Curb Stops & Corporation Stops to City of Fort Wayne, Indiana Bid No. 874

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 23rd day of February A.D. 19 89

Karen K. Smalley
Witness

EVERETT J. PRESCOTT, INC. (SEAL)
Principal
By: Dave Stevens General Manager
Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
Surety

Ella E. Richards
Witness

By Blair E. Torelli (SEAL)
Blair E. Torelli *Title* Attorney-in-fact

C325d—150M.
Approved by The American Institute of Architects.
A.I.A. Document No. A-310 February 1970 Edition.

To be attached to Bid BondNo. 09820614

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR. , Vice-President, and C. W. ROBBINS , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Stephen F. Dunlap, David H. Skillings, Ella E. Richards, Blair E. Torelli, Robert E. Shaw, Jr. and Michelle F. Billings, all of Auburn, Maine, EACH

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Stephen F. Dunlap, et al, dated, November 16, 1987.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 11th day of May, A.D. 1988

ATTEST: SEAL

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

M. J. Schnebelen — Assistant Secretary

By R. W. Burdenbrohm — Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 11th day of May, A.D. 19 88, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

CAROL J. FADER NOTARY PUBLIC BALTIMORE CITY, MD

Carol J. Fader

Notary Public Commission Expires July 1, 1990

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 23rd day of February, 1989.

Christopher T. Maddox

Assistant Secretary

040-0196

LOOK FOR THE GOLD INTERLOCK

ATTACHMENT C

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of E.J.P.- Midwest, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of E.J.P.-Midwest, that our company does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 20th day of February, 1989.

E.J.P.-Midwest
(Name of Bidder/Vendor)

David L. Stevens

David L. Stevens-General Manager
(Name and Title of Person Signing)

cribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: February 20, 1989

1. Governmental Unit: _____
2. County: Wabash
3. Bidder (Firm): E.J.P. Midwest
   Address: 250 Olive Street
   City/State: Wabash, Indiana 46992
4. Telephone Number: 219/563-1137
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to _____ (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that is not offered nor received a less price than the price stated in his bid for the materials included in bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A filed check or bond shall be filed with each bid if required, and liability for breach shall be enforced upon the contract, the bond or certified check or both as the case may be.

David L. Stevens
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. ing is an example of the bid format:

s or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

OF INDIANA)
) SS:
Sh COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other , representative, or agent of the firm, company, corporation or partnership represented by him, d into any combination, collusion or agreement with any person relative to the price to be bid by at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, at this bid is made without reference to any other bid and without any agreement, understanding or ation with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly irectly, any rebate, fee, gift, commission or thing of value on account of such sale.

E.J.P.-Midwest
Bidder (Firm)

David L. Stevens
Signature of Bidder or Agent

Subscribed and sworn to before me this 20th day of February, 19 89.

ission Expires: 7-10-1990

of Residence: Wabash

Karen K. Smalley
Notary Public

Karen K. Smalley
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for or items numbered _____ and promises to pay the undersigned bidder upon delivery the price for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: 2-23-89 @ 11:00 AM BID REFERENCE # 874

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A. M., ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR The 1989 requirements for curb and corporation stops

AND REQUESTED BY WMS.

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED ON THE THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED CHECK, OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ % IF PAID WITHIN Net 30 DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255-0013. PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Underground Pipe + Valve Inc

STREET ADDRESS 617 Ley Rd

CITY Ft Wayne Ind 46825

BY James P Butler PHONE 483-1457
REPRESENTATIVE SIGNATURE

CURB STOPS, 90 DEGREE T-HEAD OPERATION

QTY	UNIT	DESCRIPTION	SIZE BRAND NAME/NUMBER	UNIT COST
125	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	3/4" A.Y. McDONALD 6101	$ 10.02
1500	EA +/-	BALL TYPE: FLARED BOTH ENDS	3/4" " " 6100	$ 11.13
100	EA +/-	BALL TYPE: FLARED BOTH ENDS	1" " " 6100	$ 17.87
50	EA +/-	BALL TYPE: FLARED BOTH ENDS	1½" " " 6100	$ 38.77
50	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	2" " " 6101	$ 40.49
50	EA +/-	PLUG/BALL TYPE: FLARED BOTH ENDS	2" " " 6100	$ 62.96

CORPORATION STOPS

1500	EA +/-	FLARED	3/4" A.Y. McDONALD 4701	$ 5.80
100	EA +/-	FLARED	1" " " 4701	$ 9.19
50	EA +/-	FLARED	1½" " " 4701	$ 25.97
75	EA +/-	FLARED	2" " " 4701B	$ 43.63
100	EA +/-	FEMALE/THREADED	3/4" " " 3148	$ 6.22
75	EA +/-	FEMALE/THREADED	2" " " 3148B	$ 37.99

DELIVERY TIME: 15 DAYS AFTER RECIPT OF ORDER FOB: FT WAYNE, IND

TERM OF AGREEMENT: MAY 1, 1989 THRU DECEMBER 31, 1989

ATTACHMENT C

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of UNDERGROUND PIPE & VALVE INC, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of UNDERGROUND PIPE & VALVE INC, that UNDERGROUND PIPE & VALVE INC does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 20 day of FEB, 1985.

UNDERGROUND PIPE & VALVE
(Name of Bidder/Vendor)

James P Butler
(Name and Title of Person Signing)

President

AMERICAN STATES INSURANCE COMPANY

INDIANAPOLIS, INDIANA

BID OR PROPOSAL BOND

Know all Men by these Presents,

That we, Underground Pipe & Valve, Inc.

P. O. Box 508, South Bend, Indiana 46624

of _____ (hereinafter called the Principal), as Principal, and AMERICAN STATES INSURANCE COMPANY (hereinafter called the Surety), as Surety, are held and firmly bound unto City of Fort Wayne,

Fort Wayne, Indiana

(hereinafter called the Obligee) in the penal sum of 5% of amount

bid Dollars ($ ----------) for the payment of which the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED and SEALED this 23rd day of February 1989.

THE CONDITION OF THIS OBLIGATION IS SUCH, That, whereas the Principal has submitted or is about to submit a proposal to the Obligee on a contract for

1980 requirments for curb & corporation stops

NOW, THEREFORE, if the said contract be timely awarded to the Principal and the Principal shall, within such time as may be specified, enter into the contract in writing, and give bond, if bond be required, with surety acceptable to the Obligee for the faithful performance of the said contract, then this obligation shall be void; otherwise to remain in full force and effect.

UNDERGROUND PIPE & VALVE, INC.

James P. Butler

AMERICAN STATES INSURANCE COMPANY

Barbara L. Horvath

By Barbara L. Horvath Attorney-in-Fact

Form 9-1027
6-62

GENERAL POWER OF ATTORNEY

American States Insurance Company

INDIANAPOLIS, INDIANA

394-404

KNOW ALL MEN BY THESE PRESENTS, that American States Insurance Company, a Corporation duly organized and existing under the laws of the State of Indiana, and having its principal office in the City of Indianapolis, Indiana, hath made, constituted and appointed, and does by these presents make, constitute and appoint

------- LYMAN C. CURTIS, PEGGY L. MILLER, CURTIS A. FEY AND BARBARA L. HORVATH -------

(Jointly or Severally)

of South Bend and State of Indiana its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings, provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed

FIFTY THOUSAND AND NO/100 ($50,000.00) DOLLARS ----------

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the common seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. This Power of Attorney is executed and may be revoked pursuant to and by authority granted by Section 7.07 of the By-Laws of the American States Insurance Company, which reads as follows:

"The Chairman, the President or any vice-president (including any Executive Vice President, Senior Vice President, Second Vice President or Assistant Vice President) shall have power, by and with the concurrence with the any other officer of the Corporation, to appoint Attorneys-in-Fact as the business of the Corporation may require and to authorize any such person to execute, on behalf of the Corporation, any bonds, recognizances, stipulations and undertakings, whether by way of surety or otherwise."

IN WITNESS WHEREOF, American States Insurance Company has caused these presents to be signed by its Vice-President, attested by its Assistant Vice-President and its corporate seal to be hereto affixed this 7th day of February A.D. 19 89.

AMERICAN STATES INSURANCE COMPANY

ATTEST: _____ Assistant Vice-President

By Joseph F. Heim Second Vice-President

(Seal — American States Insurance Company — Indiana)

STATE OF INDIANA } SS
COUNTY OF MARION }

On this 7th day of February, A.D., 19 89, before me personally came Joseph F. Heim, to me known, who being by me duly sworn, acknowledged the execution of the above instrument and did depose and say; that he is a Vice-President of American States Insurance Company; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of the Board of Directors of said Corporation; and that he signed his name thereto under like authority. And said Joseph F. Heim further said that he is acquainted with John J. Rosich and knows him to be the Assistant Vice-President of said Corporation, and that he executed the above instrument.

MY COMMISSION EXPIRES
OCTOBER 2, 1992
My Commission Expires

Barbara Ponder
Notary Public

(Seal — Notary Public — Indiana)

Notary is a resident of Marion County, Indiana

STATE OF INDIANA } SS
COUNTY OF MARION }

I, John J. Rosich, the Assistant Vice-President of AMERICAN STATES INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said AMERICAN STATES INSURANCE COMPANY, which is still in force and effect.

This Certificate may be signed and sealed by facsimile under and by the authority of Section 8.03 of the By-Laws of AMERICAN STATES INSURANCE COMPANY which reads as follows:

"All policies and other instruments of insurance issued by the Corporation shall be signed on behalf of the Corporation by the Chairman, the President or any vice-president (including any Executive Vice President, Senior Vice President, Vice President, Second Vice President or Assistant Vice President) and the secretary, or an assistant secretary, or other officer, whose signatures, if the instrument is duly countersigned by an authorized representative of the Corporation, may be facsimiles. Such signatures and facsimiles thereof shall be authorized and binding upon the Corporation notwithstanding the fact that any such officer shall have ceased to be such officer at the time such policy or other instrument of insurance shall have been actually issued by the Corporation."

In witness whereof, I have hereunto set my hand and affixed the seal of said Corporation, this 23rd day of February A.D., 19 89.

_____ Assistant Vice-President

(Seal — American States Insurance Company — Indiana)

9-1459
(9-88)

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 2-20-89

1. Governmental Unit: CITY OF FT WAYNE IN
2. County: ALLEN
3. Bidder (Firm): UNDERGROUND PIPE + VALVE INC
   Address: 617 LEY RD
   City/State: FT WAYNE IND 46825
4. Telephone Number: 219-483-1457
5. Agent of Bidder (If applicable): JAMES P BUTLER

Pursuant to notices given, the undersigned offers bid(s) to CITY OF FT WAYNE (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

James P Butler
Signature of Bidder or Agent
PRESIDENT

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
St Joseph COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

UNDERGROUND PIPE + VALVE INC
Bidder (Firm)

James P Butler
Signature of Bidder or Agent

Subscribed and sworn to before me this 20 day of Feb, 1989.

My Commission Expires: Sept 2, 1992

County of Residence: St Joseph

Helen Lueck
Notary Public

Helen Lueck
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____

_____ _____

_____ _____

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: 2-23-89 @ 11:00 AM BID REFERENCE # 874

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A. M., ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR The 1989 requirements for curb and corporation stops

AND REQUESTED BY WMS .

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED ON THE THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED CHECK, OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ % IF PAID WITHIN _____ DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255-0013. PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME James Jones Company

STREET ADDRESS 4127 Temple City Blvd.

CITY El Monte, CA 91734

BY _____ PHONE (818) 443-6191
REPRESENTATIVE SIGNATURE
Stephen L. Eaton, VP Sales

CURB STOPS, 90 DEGREE T-HEAD OPERATION

QTY	UNIT	DESCRIPTION	SIZE BRAND NAME/NUMBER	UNIT COST
125	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	3/4" James Jones J1900	$ 9.58
1500	EA +/-	BALL TYPE: FLARED BOTH ENDS	3/4" James Jones J1902	$ 12.50
100	EA +/-	BALL TYPE: FLARED BOTH ENDS	1" James Jones J1902	$ 16.82
50	EA +/-	BALL TYPE: FLARED BOTH ENDS	1½" James Jones J1902	$ 37.35
50	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	2" James Jones J1900	$ 39.74
50	EA +/-	PLUG/BALL TYPE: FLARED BOTH ENDS	2" James Jones J1902 Ball Valve	$ 64.35

CORPORATION STOPS

1500	EA +/-	FLARED	3/4" James Jones J1500	$ 5.83
100	EA +/-	FLARED	1" James Jones J1500	$ 8.92
50	EA +/-	FLARED	1½" James Jones J1930 L/S	$ 23.66
75	EA +/-	FLARED	2" James Jones J1930 L/S	$ 41.33
100	EA +/-	FEMALE/THREADED	3/4" James Jones J51	$ 11.40
75	EA +/-	FEMALE/THREADED	2" James Jones J1932	$ 47.38

DELIVERY TIME: 2 to 90 Days ARO FOB: Ft. Wayne, IN

TERM OF AGREEMENT: MAY 1, 1989 THRU DECEMBER 31, 1989

ATTACHMENT C

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of James Jones Co., does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of James Jones Co., that it does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 17th day of February, 1989.

James Jones Co.
(Name of Bidder/Vendor)

(Name and Title of Person Signing)
Stephen L. Eaton, Vice President Sales

lbed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: _____

1. Governmental Unit: _____
2. County: _____
3. Bidder (Firm): _____
   Address: _____
   City/State: _____
4. Telephone Number: _____
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to _____ (Gov- l Unit) in accordance with the following attachment(s) which specify the class or item number or lon, quantity, unit, unit price and total amount.

he contract will be awarded by classes or items, in accordance with specifications. Any changes or ns in the items specified will render such bid void as to that class or item. Bidder promises that t offered nor received a less price than the price stated in his bid for the materials included in Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A check or bond shall be filed with each bid if required, and liability for breach shall be enforce- the contract, the bond or certified check or both as the case may be.

_____
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

lach separate sheet listing each item bid based on specifications published by governing body. ls an example of the bid format:

Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

alifornia
IANA)
) SS:
UNTY)

undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other esentative, or agent of the firm, company, corporation or partnership represented by him, any combination, collusion or agreement with any person relative to the price to be bid by ch letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, s bid is made without reference to any other bid and without any agreement, understanding or with any other person in reference to such bidding.

rther says that no person or persons, firms, or corporation has, have or will receive directly , any rebate, fee, gift, commission or thing of value on account of such sale.

James Jones Company
Bidder (Firm)

Signature of Bidder or Agent

lbed and sworn to before me this 17th day of February, 1989.

Expires: _____

dence: Los Angeles

OFFICIAL SEAL
JEANE E. GRABE
Notary Public-California
LOS ANGELES COUNTY
My Comm. Exp. June 25, 1991

Jeane E. Grabe
Notary Public

Jeane E. Grabe
Notary Public Printed Name

ACCEPTANCE

now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for ns numbered _____ and promises to pay the undersigned bidder upon delivery the price materials stipulated in said bid.

cting Authority Members: Date: _____

_____ _____
_____ _____
_____ _____

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: 2-23-89 @ 11:00 AM. BID REFERENCE # 874

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A. M., ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR The 1989 requirements for curb and corporation stops

AND REQUESTED BY WMS.

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED ON THE THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED CHECK, OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: 2% 10th Prox % IF PAID WITHIN Net 30 DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255-0013. PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME The Treaty Company

STREET ADDRESS 501 Gray Avenue, P.O. Box 40

CITY Greenville, OH 45331

BY Raymond Klar PHONE 513/548-2181
REPRESENTATIVE SIGNATURE

URB STOPS, 90 DEGREE T-HEAD OPERATION

TY	UNIT	DESCRIPTION	SIZE BRAND NAME/NUMBER	UNIT COST
25	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	3/4" Mueller H-10283	$ 9.47
500	EA +/-	BALL TYPE: FLARED BOTH ENDS	3/4" Mueller H-15204	$ 11.14
00	EA +/-	BALL TYPE: FLARED BOTH ENDS	1" Mueller H-15204	$ 19.00
0	EA +/-	BALL TYPE: FLARED BOTH ENDS	1½" Mueller H-15204	$ 38.35
0	EA +/-	BALL/PLUG TYPE: FEMALE IRON PIPE, THREAD BOTH ENDS	2" Mueller H-10283	$ 45.32
0	EA +/-	PLUG/BALL TYPE: FLARED BOTH ENDS	2" Mueller H-15204	$ 62.77

ORPORATION STOPS

500	EA +/-	FLARED	3/4" Mueller H-15000	$ 5.95
00	EA +/-	FLARED	1" Mueller H-15000	$ 9.10
0	EA +/-	FLARED	1½" Mueller H-15000	$ 24.85
5	EA +/-	FLARED	2" Mueller H-15000	$ 43.43
00	EA +/-	FEMALE/THREADED	3/4" Mueller H-10045	$ 6.39
5	EA +/-	FEMALE/THREADED	2" Mueller H-10045	$ 38.91

ELIVERY TIME: 2 - 3 Weeks FOB: Ft. Wayne, Indiana

TERM OF AGREEMENT: MAY 1, 1989 THRU DECEMBER 31, 1989

Municipal Materials

Batavia, Ohio 45103 - State Route 276 PHONE (513) 724-6121
Columbus, Ohio 43219 - 1111 Rarig Ave. PHONE (614) 253-0533
Dayton, Ohio 45403 - 1049 Springfield St. PHONE (513) 253-8116
Ft. Wayne, Indiana 46808 - 4020 Wells St. PHONE (219) 484-0739
Indianapolis, Indiana 46219 - 7281 East Thirtieth St. PHONE (317) 545-6088
(Toledo) Perrysburg, Ohio 43551 - Cor. Eckel & Eckel Jct. Rds. PHONE (419) 874-312

— FIELD QUOTATION —

Quote Nº 02891

Customer City of Ft. Wayne, IN
Department of Purchases
One Main St., Room 350

Ft. Wayne, IN 46802

Date February 21, 1989

Job Name Bid Ref. No. 874

Location Ft. Wayne, IN

Sales Rep. or Branch Tim Brown/Ft. Wayne

Bid Date 02/23/89 11:00 AM

TERMS —(NET 30 DAYS UNLESS SPECIFIED)

F.O.B.

SHIPMENT

QUANT.	DESCRIPTION	NET UNIT	TOTAL
	CURB STOPS, 90 DEGREE T-HEAD OPERATION		
125 EA±	Ball/Plug Type: Female Iron Pipe, Thread Both Ends - Mueller H-10283 3/4"	9.47	1,183.7
1500 EA±	Ball Type: Flared Both Ends 3/4" Mueller H-15204	11.14	16,710.0
100 EA±	Ball Type: Flared Both Ends 1" Mueller H-15204	19.00	1,900.0
50 EA±	Ball Type: Flared Both Ends 1½" Mueller H-15204	38.35	1,917.5
50 EA±	Ball/Plug Type: Female Iron Pipe, Thread Both Ends 2" Mueller H-10283	45.32	2,266.0
50 EA±	Plug/Ball Type: Flared Both Ends Mueller H-15204	62.77	3,138.5
	CORPORATION STOPS		
1500 EA±	Flared 3/4" Mueller H-15000	5.95	8,925.0
100 EA±	Flared 1" Mueller H-15000	9.10	910.0
50 EA±	Flared 1½" Mueller H-15000	24.85	1,242.5
75 EA±	Flared 2" Mueller H-15000	43.43	3,257.2
100 EA±	Female/Threaded 3/4" Mueller H-10045	6.39	639.0
75 EA±	Female/Threaded 2" Mueller H-10045	38.91	2,918.2
	Delivery 2-3 Weeks		

Signature _____

Refer to this Quote Number when placing order

CUSTOMER

The Ohio Casualty Insurance Company

HAMILTON, OHIO

BID OR PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, That we,

The Treaty Company

(hereinafter called the Principal) as Principal, and THE OHIO CASUALTY INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, with its principal office in the City of Hamilton, Ohio (hereinafter called the Surety) and licensed to do business in the State of

as Surety, are held and firmly bound unto

City of Ft. Wayne
Ft. Wayne, Indiana

(hereinafter called the Obligee) in the penal sum of

Two Thousand Two Hundred and Fifty-Five----------Dollars ($ 2,255.00) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas, the Principal has submitted the accompanying bid, dated February 23, 1989 , for

Curb & Corporation Steps

NOW, THEREFORE, if the Obligee shall make any award according to the terms of said bid and the Principal shall enter into a contract with said Obligee in accordance with the terms of said bid and give bond for the faithful performance thereof within the time specified; or if no time is specified within thirty days after the date of said award; or if the Principal shall, in the case of failure so to do, indemnify the Obligee against any loss the Obligee may suffer directly arising by reason of such failure, not exceeding the penalty of this bond, then this obligation shall be null and void: otherwise to remain in full force and virtue.

Signed, Sealed and Dated this 21st day of February, 1989

The Treaty Company

By Michael L. Tinka (Principal)

THE OHIO CASUALTY INSURANCE COMPANY

By Frederick A. Thomas

Attorney-in-Fact

S-137-Rev.

THE OHIO CASUALTY INSURANCE COMPANY

HOME OFFICE, HAMILTON, OHIO

No. 22-758

Know All Men by These Presents: That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company does hereby nominate, constitute and appoint:

Alan V. Littman or Richard A. Thomas
or Hance S. Hildebrand or Angela S. Skiles - - - - - of Greenville, Ohio - - - - - -

its true and lawful agent and attorney -in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance

TWO MILLION FIVE HUNDRED THOUSAND - - - - - - - - - - - - - - - ($ 2,500,000.00 -) Dollars,

excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Hamilton, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

SEAL

In WITNESS WHEREOF, the undersigned, officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 9th day of September 19 86.

Richard T. Hoffman

Asst. Secretary

STATE OF OHIO, }
COUNTY OF BUTLER } SS.

On this 9th day of September A. D. 19 86 before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came Richard T. Hoffman, Asst. Secretary - - - of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposeth and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

NOTARIAL SEAL BUTLER COUNTY, OHIO

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.

Dorothy Bilbee

Notary Public in and for County of Butler, State of Ohio

My Commission expires December 24, 1986.

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

"ARTICLE VI"

"Section 7. **Appointment of Attorney-in-Fact, etc.** The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

"RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this 21st day of Feb. A.D., 19 89

SEAL

Assistant Secretary

S-4300-C 12-80-3M

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of THE TREATY COMPANY, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of THE TREATY COMPANY, that THE TREATY COMPANY does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 21st day of February, 19 89.

THE TREATY COMPANY
(Name of Bidder/Vendor)

Raymond H Lee President
(Name and Title of Person Signing)

escribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: February 21, 1989

1. Governmental Unit: City of Ft. Wayne, IN
2. County: Allen County
3. Bidder (Firm): The TreatyCompany
   Address: 501 Gray Avenue, P.O. Box 40
   City/State: Greenville, OH 45331
4. Telephone Number: 513/548-2181
5. Agent of Bidder (If applicable):

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne, IN (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or scription, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or erations in the items specified will render such bid void as to that class or item. Bidder promises that has not offered nor received a less price than the price stated in his bid for the materials included in bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A ified check or bond shall be filed with each bid if required, and liability for breach shall be enforced upon the contract, the bond or certified check or both as the case may be.

Raymond H Lear
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. owing is an example of the bid format:

ss or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

OHIO
OF INXXXX)
) SS:
ce COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other r, representative, or agent of the firm, company, corporation or partnership represented by him, ed into any combination, collusion or agreement with any person relative to the price to be bid by e at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, hat this bid is made without reference to any other bid and without any agreement, understanding or nation with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly directly, any rebate, fee, gift, commission or thing of value on account of such sale.

THE TREATY COMPANY
Bidder (Firm)
Raymond H Lear
Signature of Bidder or Agent

Subscribed and sworn to before me this 21st day of February, 19 89

mmission Expires: 08/07/91

y of Residence: Darke

Sharon J. Edwards
Notary Public

Sharon J. Edwards
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for ss or items numbered _____ and promises to pay the undersigned bidder upon delivery the price d for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

DIGEST SHEET

S-89-03-07

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 874 with respect to the purchase of curb and corp stops for Water Maintenance for 1989. The costs reflect the lowest and most responsible vendors.

EFFECT OF PASSAGE: Corp stops are used for new installation and repairs of services. Curb stops are used to control water usage.

EFFECT OF NON-PASSAGE: Without corp stops we could not control water from main to the curb box on each line. Without curb stops we could not install for control on water usage on service or make repairs.

MONIES INVOLVED:	Underground	$3,471.25 +/-
	Water Products	$8,415.00 +/-
	James Jones	$10,711.25 +/-
	Treaty	$4,322.25 +/-
	EJP	$13,140.00 +/-

SOURCE OF FUNDING: Water Maintenance
513-523-W154-4299

PRIOR APPROVAL: DATE:
(IF APPLICABLE)

BILL NO. S-89-03-07

REPORT OF THE COMMITTEE ON CITY UTILITIES

MARK E. GiaQUINTA, CHAIRMAN
THOMAS C. HENRY, VICE CHAIRMAN
LONG, BURNS, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #874 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and UNDERGROUND PIPE & VALVE, INC.: WATER PRODUCTS COMPANY: JAMES JONES COMPANY: THE TREATY COMPANY: AND E.J.P. - MIDWEST for the Water Maintenance Department

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID

(ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Mark E. GiaQuinta			
Samuel J. Talarico			
Thomas C. Henry			

DATED: 3-27-89.

Sandra E. Kennedy
City Clerk